

THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION No. 28186 of 1996

DATED: 21.02.2006

Between:

S.S.Ali Minority Educational Society.

... PETITIONER

AND

The Govt. of A.P. and another.

... RESPONDENTS

ORDER:

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The petitioner is an unaided educational institution. The Government of Andhra Pradesh is implementing a scheme known as 'National Programme of Nutritional Support to Primary Education'. Under this, food grains and other items are supplied to the students, who are studying in the educational institutions established by the Government and local bodies, as well as the institutions, which are admitted to grant-in-aid. The contention of the petitioner is that it is also entitled to be extended the benefit under the scheme, inasmuch as it is carrying on the same functions as of the educational institutions established by the Government and local bodies.

In the counter affidavit filed on behalf of the respondent, it is stated that the scheme is confined only to the institutions established by the Government and local bodies and those, which are admitted to grant in aid. It is alleged that the petitioner, which is not admitted to grant-in-aid, is not entitled for the benefit under the scheme.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

The Writ Petition came to be filed at a time, when the scheme known as 'National Pragamme of Nutritional Support to Primary Education' was in force. It is not in dispute that the petitioner is not admitted to grant in aid. In clear terms, it was stated in the scheme that it is extendible only to the institutions, established by the Government and local bodies, and those, admitted to grant-in-aid. When the petitioner does not fall into this category, it is difficult for this Court to accede to its request, for extension of the benefit under the scheme. Further, it is not known as to whether the scheme is in vogue or it has undergone any changes. It is suffice to say that in case, any unaided institutions are extended the benefit under the scheme, the case of the petitioner can also be considered.

For the foregoing reasons, the Writ Petition is disposed of, directing that in case the scheme, referred to above, is in vogue, in the original or any modified form, and the Government has taken a policy decision to extend the benefit under scheme to the institutions, which are not admitted to grant-in-aid, the case of the petitioner shall also be considered for that purpose. There shall be no order as to costs.

21.02.2006

Jsu